

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/773,333

REMARKS

Applicant thanks the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119 and receipt of the certified copies of the priority documents.

Applicant also thanks the Examiner for acknowledging receipt and consideration of the Information Disclosure Statement dated February 9, 2004 and the references cited therein.

Claims 1-17 have been examined. Claims 18-28 have been withdrawn from consideration based on Applicant's response to the restriction requirement in this application. Applicant cancels, without disclaimer or prejudice to the filing of a divisional application, non-elected claims 18-28. Therefore, claims 1-17 remain in this application.

Applicant thanks the Examiner for allowing claims 11-17 and for indicating that claims 9 and 10 contain allowable subject matter and would be allowed if written in independent form. In view of the following, it is submitted that independent claim 1 from which claims 9 and 10 depend is allowable over the cited art and therefore it is unnecessary to write claims 9 and 10 in independent form to obtain allowance of these claims.

Claims 1-3 and 4-6 are rejected under 35 U.S.C. §103 as unpatentable over Applicant's admitted prior art ("AAPP") in view of Yanai et al. In regard to claim 5, the Examiner further relies on Oh (USP 5,610,082) in support of the rejection of claim 5. These rejections are respectfully traversed. Claims 7 and 8 are rejected under 35 U.S.C. § 103 as unpatentable over AAPP in view of Yanai as applied to claim 1 and further in view of Okumura (JP 11307777A). This rejection is also respectfully traversed. As will be seen from the following, independent claim 1 patentably distinguishes over the cited art. Dependent claims 2-8 patentably distinguish

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over the cited art for the reasons that will be explained with respect to claim 1 and by way of the additional limitations set forth therein.

In regard to claim 1, the Examiner alleges that the AAPP teaches each limitation of claim 1 with the exception of the requirement that the first active layer has two impurity doping regions formed in a self-aligning manner. The Examiner seeks to make up this deficiency by the citation of the Yanai et al reference. Applicant respectfully submits that neither the AAPP nor the Yanai reference nor any of the other references relied upon by the Examiner teaches or suggests all of the limitations of claim 1. At least the limitation of claim 1 "wherein said second gate electrode comprises a semiconductor layer" is absent from the cited references.

The Examiner alleges that this element is disclosed in the description of related art at paragraph [02] of the subject application. However, that paragraph only discusses polysilicon thin film transistors generally. Nothing in that paragraph discloses or suggests that the polysilicon thin film transistors disclosed therein contain a gate electrode that includes a semiconductor layer. In fact, with reference to paragraph [0015] of the Yanai et al reference cited by the Examiner, it is seen that the polysilicon thin film transistors disclosed therein include a metal (i.e., chromium) gate. That is, the gate of the polysilicon thin film transistors disclosed in the Yanai et al reference does not include a semiconductor layer.

The Examiner's assumption that the polysilicon thin film transistors discussed at paragraph [02] of the subject application necessarily have a gate structure that contains a semiconductor layer is unsupported. Indeed, as evidenced by the Yanai et al reference,

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polysilicon thin film transistors with metal gates and without a semiconductor layer are in the prior art.

Therefore, since nothing in AAPP of the subject application discloses or suggests a polysilicon thin film transistor with a gate containing a semiconductor layer, it cannot be said that AAPP and the secondary references, none of which disclose the feature missing from the AAPP, disclose or suggest Applicant's invention as claimed in claim 1. Since claims 2-8 depend from claim 1, these claims distinguish over the prior art at least for the reasons set forth above with respect to claim 1. It is therefore requested that claims 1-8, claims 9 and 10 already indicated to contain allowable subject matter, and allowed claims 11-17 be passed to issue at the earliest possible time.

If for any reason the Examiner finds the application other than in condition for allowance, he is respectfully requested to call the undersigned attorney at the Washington, DC telephone number 202-293-7060 to discuss the steps necessary for placing the application in condition for allowance.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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